



September 23, 1999

Ms. Sara Shiplett Waitt  
Senior Associate Commissioner  
Legal and Compliance Division  
Texas Department of Insurance  
P.O. Box 149104  
Austin, Texas 78714-9104

OR99-2676

Dear Ms. Waitt:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 128450.

The Texas Department of Insurance (the "department") received a request for information concerning Progressive County Mutual ("Progressive"). Because the release of the requested information may implicate the proprietary interests of Progressive, you ask, on behalf of Progressive, whether the requested information is excepted from disclosure.

Pursuant to section 552.305 of the Government Code, we notified Progressive of the request for information and of its opportunity to submit arguments against disclosure. We did not receive a response from Progressive. We therefore have no basis to conclude that the requested information is excepted from disclosure. *See, e.g.*, Open Records Decision No. 552 (1990). Accordingly, the department must disclose the information.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

Karen E. Hattaway  
Assistant Attorney General  
Open Records Division

KEH/ch

Ref: ID# 128450

Encl. Submitted documents

cc: Mr. Ben Drawert  
900 St. Paul  
Richardson, Texas 75080  
(w/o enclosures)

Mr. William H. Graves  
President  
Progressive County Mutual Insurance Company  
P.O. Box 5070  
Cleveland, Ohio 44101  
(w/o enclosures)